FILED
SEP 30 1940
J. E. [illegible] CLERK
Deputy Clerk

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA

EMILY HALL SPRECKELS,
Plaintiff,
vs.
ADOLPH B. SPRECKELS,
Defendant.

No. 32073

STIPULATION FOR TAKING OF DEPOSITION AND ISSUANCE OF SUBPOENA

It is hereby stipulated by the above named plaintiff, Emily Hall Spreckels, by and through her counsel of record in the above entitled action, Schauer, Ryon & McMahon, that the deposition of said plaintiff may be taken in said matter by the above named defendant, Adolph B. Spreckels, by and through his attorneys of record herein, Heaney, Price, Postel & Parma, at the hour of 2 P. M. of the 2nd day of October, 1940, before Mabel Reynolds, a Notary Public, at 26 East Carrillo Street, Santa Barbara, California.

It is further stipulated that the formal requirements of the taking of said deposition are hereby waived, including the service and filing of notice of time and place of taking said deposition and affidavit showing case to be within the provisions of Section 2021 of the Code of Civil Procedure, it being hereby stipulated that the said Emily Hall Spreckels is the plaintiff in this action and that she has been duly served with process in said action.

It is further stipulated that a subpoena may issue out of the above entitled court in the above entitled action directing

SCHAUER, RYON & McMAHON
ATTORNEYS AT LAW
26 EAST CARRILLO ST.
SANTA BARBARA, CALIF.

said plaintiff to be and appear before the above named Mabel Reynolds, a Notary Public, at the time and place above set forth.

It is further stipulated that said deposition, when so taken, may be used on trial of the above entitled action, subject to the same objections, save as to the form of the interrogatories, as if the said witness were present and testifying therein.

Dated this 25th day of September, 1940.

Schauer, Ryon & McMahon
Attorneys for Plaintiff, Emily Hall Spreckels.

SCHAUER, RYON & McMAHON
ATTORNEYS AT LAW
916 EAST CARRILLO ST.
SANTA BARBARA, CALIF.

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Defendant.

No. 32073

O R D E R

Upon reading and filing the attached Stipulation for taking of deposition and issuance of subpoena, and good cause therefor appearing, it is hereby ORDERED that a subpoena be issued by the Clerk of the above entitled Court in the above entitled matter directing the above named plaintiff, Emily Hall Spreckels, to be and appear before Mabel Reynolds, a Notary Public, at 26 East Carrillo Street, Santa Barbara, California, at the hour of 2:00 P.M. of Wednesday, the 2nd day of October, 1940, and testify by deposition in behalf of the above named defendant, Adolph B. Spreckels.

Dated this 30th day of September, 1940.

Judge of the Superior Court

SCHAUER, RYON & McMAHON
ATTORNEYS AT LAW
26 EAST CARRILLO ST.
SANTA BARBARA, CALIF.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
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Plaintiff,

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No. 32073

SUBPOENA TO APPEAR BEFORE A NOTARY PUBLIC

THE PEOPLE OF THE STATE OF CALIFORNIA SEND GREETING TO EMILY HALL SPRECKELS:

We command you that all and singular business and excuses laid aside, you attend and appear before Mabel Reynolds, a Notary Public in and for the County of Santa Barbara, State of California, at the office of said Notary, to-wit, 26 East Carrillo Street, in the City and County of Santa Barbara, State of California, on the 2nd day of October, 1940, at two o'clock P. M. of said day, then and there to testify in the above entitled action now pending in the above named Superior Court, on the part of the defendant, Adolph B. Spreckels, and for failure to attend, you will be deemed guilty of contempt of Court and liable to pay all losses and damages sustained thereby by the parties aggrieved, and forfeit one hundred dollars in addition thereto.

BY ORDER of our Superior Court this 30th day of September, 1940.

ATTEST my hand and the Seal of said Court the day and year last above written.

J. E. LEWIS Clerk

By _____ Deputy Clerk

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA BARBARA

EMILY HALL SPRECKELS,

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AFFIDAVIT OF SERVICE

STATE OF CALIFORNIA)
) ss
COUNTY OF SANTA BARBARA)

WILLIAM LAMBOURNE, being first duly sworn, deposes and says:

That he is over the age of eighteen years and is not a party to the above entitled action;

That on the 1st day of October, 1940, he personally served the attached Subpoena to Appear before a Notary Public upon the plaintiff within the County of Santa Barbara, by delivering to said plaintiff personally, a copy of the said Subpoena to Appear before a Notary Public.

William Lambourne

Subscribed and sworn to before me
this 1st day of October, 1940.

Jane Hayward
Notary Public in and for the County
of Santa Barbara, State of California

MRS. ADOLPH B. SPRECKELS

Tentative Statement of Assets and Liabilities at September 30, 1940

Assets

Cash in bank		$ 11,600.00
Securities - at market:		
Held free	$ 382,625.00	
Held by trustee and subject to claim by Federal Government to estate tax	80,420.00	
		463,045.00
Mortgages of $75,000 principal amount, estimated to realize		65,000.00
Residence and furnishings		Not valued
Total assets, exclusive of residence and furnishings		$ 539,645.00

Liabilities

Claim by Federal government to estate tax on the estate of M. von Romberg, approximately	$ 75,000.00	
Estimated minimum cost to litigate this claim	16,000.00	
Estimated household and personal accounts payable	6,000.00	
Total liabilities		97,000.00
Excess of assets, exclusive of residence and furnishings, over liabilities		$ 442,645.00

MRS. ADOLPH B. SPRECKELS

Approximate income received from
January 1 to September 30, 1940

Income:	
From securities owned	$ 10,000.00
From a trust with York Trust Co. - Mrs. Spreckels has only a life interest in the income of this trust	2,160.00
	$ 12,160.00
Deduct:	
Fees of trustees and investment counsellor	500.00
Approximate income before deducting Federal and State income taxes	$ 11,660.00

Income reported in 1939

Federal income tax return:

Total income	$ 16,014.24
Deductions	2,719.23
Net income	$ 13,295.01

In the Superior Court of the State of California

IN AND FOR THE

County of Santa Barbara

EMILY HALL SPRECKELS, *Plaintiff.*

vs.

ADOLPH B. SPRECKELS, *Defendant.*

Filed MAR 29 1941, 19

J. E. LEWIS. Clerk.

By [illegible] Deputy Clerk.

No. 32073

DISMISSAL

TO CLERK OF SAID COURT:

You will enter the dismissal of the above entitled action without prejudice

Dated March 29, 19 41

Schauer Ryon & McMahon

By Harrison Ryon

Attorneys for Plaintiff

NOTE: Where affirmative relief is sought in Answer or Cross-Complaint, Dismissal must also be signed by attorney for the defendant.

COUNTY FORM 160-6-39-1M